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9 Attorneys for Defendants *MindGeek*  
10 *S.à.r.l (specially appearing), MG*  
11 *Freesites Ltd, MG Premium Ltd,*  
12 *MindGeek USA Incorporated, MG Global*  
*Entertainment Inc., and 9219-1568*  
*Quebec Inc.*

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

15 K.A.,  
16 Plaintiff,  
17 v.  
18 MINDGEEK S.A.R.L. a foreign entity;  
19 MG FREESITES LTD, a foreign entity;  
20 MINDGEEK USA INCORPORATED, a  
21 Delaware corporation; MG PREMIUM  
22 LTD, a foreign entity; MG GLOBAL  
23 ENTERTAINMENT INC., a Delaware  
24 corporation; 9219-1568 QUEBEC, INC.,  
25 a foreign entity; BERND BERGMAIR, a  
26 foreign individual; FERAS ANTOON, a  
27 foreign individual; DAVID TASSILLO,  
a foreign individual; VISA INC., a  
Delaware corporation; REDWOOD  
CAPITAL MANAGEMENT, LLC, a  
Delaware limited liability company;  
REDWOOD DOE FUNDS 1-7;  
COLBECK CAPITAL  
MANAGEMENT, LLC, a Delaware  
limited liability company; COLBECK  
DOE FUNDS 1-3,

Case No. 2:24-cv-04786-WLH-ADS

**JOINT STIPULATION TO  
REQUEST LIMITED  
COORDINATION FOR PURPOSES  
OF RESPONDING TO  
COMPLAINTS IN RELATED  
CASES**

Judge: Hon. Wesley L. Hsu

Complaint Filed: June 7, 2024

Trial Date: None Set

1 Plaintiff K.A. (“Plaintiff”) and Defendants MindGeek S.à.r.l., MG Freesites  
2 Ltd, MindGeek USA Incorporated, MG Premium Ltd, MG Global Entertainment  
3 Inc., 9219-1568 Quebec Inc., Bernd Bergmair, Feras Antoon, David Tassillo, Visa  
4 Inc., Redwood Capital Management, LLC, and Colbeck Capital Management, LLC  
5 (collectively, “Defendants”; Defendants together with Plaintiff, the “Parties”), by  
6 and through their counsel, hereby stipulate as follows:

7 WHEREAS, each of the Defendants has been named as defendants in  
8 fourteen (14) related lawsuits filed in this Court wherein Brown Rudnick LLP  
9 (“Plaintiffs’ counsel”) represents each of the plaintiffs in their respective cases  
10 against Defendants;

11 WHEREAS, each of the 14 cases, which are listed on the Appendix attached  
12 hereto as Exhibit 1, has been designated as “related” and assigned to the Honorable  
13 Wesley L. Hsu;

14 WHEREAS, in 13 of the 14 cases, the Court entered an Order Granting Joint  
15 Stipulation Re Briefing Schedule for Defendants’ Motion to Dismiss that set  
16 October 15, 2024 as Defendants’ deadline to answer, move, or otherwise respond to  
17 each complaint, and set January 10, 2025 as the hearing date for motions filed in  
18 response to each complaint;

19 WHEREAS, the case styled *J.L. v. Mindgeek S.à.r.l. et al.*, Case No. 2:24-cv-  
20 07046 WLH(ADSx) (C.D. Cal. Aug. 20, 2024) (the “J.L. case”), was only recently  
21 filed, so deadlines to respond to the complaint have not been set for all of the  
22 Defendants;

23 WHEREAS, the complaints in each of the 14 actions contain substantially  
24 similar allegations and causes of action;

25 WHEREAS, in addition to the 14 cases, there is another related case—*Fleites*  
26 v. *MindGeek, S.à.r.l. et al.*, Case No. 2:21-cv-04920-WLH-ADS (C.D. Cal. June  
27 17, 2021) (“Fleites”—in which motions to dismiss have been filed that are  
28 scheduled to be heard on November 22, 2024;

1

2        WHEREAS, given the length and complexity of each complaint, and in the  
3 interest of judicial economy, efficient case management, and to conserve the  
4 resources of the over 30 parties involved in these 14 related cases, the Parties  
5 believe good cause exists to (a) set October 21, 2024 as the deadline for each of the  
6 Defendants to answer, move, or otherwise respond to the complaints in each of the  
7 14 actions; (b) in each of the 14 related cases, allow each defense counsel to file a  
8 single omnibus motion to dismiss for the parties that they each represent which may  
9 incorporate by reference the arguments made in the parties' motions to dismiss filed  
10 in the *Fleites* case; (c) allow Plaintiffs' counsel to file a single omnibus opposition  
11 to the collective motions to dismiss filed by Defendants in the 14 related cases,  
12 which may incorporate by reference the arguments made by the Parties in the  
13 motion to dismiss briefing in the *Fleites* case; (d) allow each defense counsel to file  
14 one omnibus reply to each motion to dismiss filed in the 14 related cases; (e) set a  
15 briefing and hearing schedule in the 14 related cases for the omnibus motions to  
16 dismiss, with the motions filed in each case being heard on the same hearing date;  
17 (f) increase the page limit for each omnibus motion to dismiss to 50 pages and each  
18 omnibus reply to 35 pages given the length and complexity of the complaints and  
19 the number of related cases; and (g) increase the page limit for Plaintiffs' omnibus  
20 opposition to 85 pages given the length and complexity of the complaints, number  
21 of related cases, and the number of motions to dismiss;

22

23        WHEREAS, the Parties agree to modify the briefing schedule previously  
24 agreed to in 13 of the 14 actions, and to set the following as the briefing schedule in  
25 the *J.L.* case, to allow the Court additional time to consider this stipulation and the  
Defendants to prepare their omnibus motions:

26

27

- October 21, 2024: Each Defendant's Deadline to Answer, Move, or  
Otherwise Respond to the Complaints;

28

- 1                   • November 26, 2024: Plaintiff's Deadline to Respond to each
- 2                   Defendant's Answer, Motion, or Response (if and as applicable);
- 3                   • December 17, 2024: Each Defendant's Deadline to File Replies (if and
- 4                   as applicable);
- 5                   • January 10, 2025: Proposed Hearing on Each Defendant's Answer,
- 6                   Motion or Response (if and as applicable);

7                   WHEREAS, the foregoing briefing schedule would not disturb the previously  
8                   agreed-to January 10, 2025 hearing date in 13 of the 14 actions and would set  
9                   January 10, 2025 as the hearing date for the *J.L.* case; and

10                  WHEREAS, the Parties agree that Defendants preserve all objections and  
11                  defenses to each complaint in the 14 related cases, including any objection or  
12                  defense on the ground of lack of personal jurisdiction.

13                  IT IS THEREFORE STIPULATED AND AGREED that there is good cause  
14                  for the Court to coordinate the briefing and hearing schedule as set forth herein only  
15                  in regards to each of the Defendants answering, moving, or otherwise responding to  
16                  the complaints in each of the 14 related actions.

17                  IT IS FURTHER STIPULATED AND AGREED that, subject to the  
18                  approval of the Court, there is good cause to increase the page limit for each  
19                  omnibus motion to dismiss to 50 pages and each omnibus reply to 35 pages given  
20                  the length and complexity of the complaints and the number of related cases, which  
21                  represents a fraction of the total pages that would be filed if each of the Defendants  
22                  filed an individualized motion and reply in each of the 14 related actions.

23                  IT IS FURTHER STIPULATED AND AGREED that, subject to the  
24                  approval of the Court, there is good cause to increase the page limit for Plaintiffs'  
25                  omnibus opposition brief to 85 pages given the volume and complexity of the  
26                  complaints and the number of related cases, which represents a fraction of the total  
27                  pages that would be filed if each of the Defendants filed an individualized motion

1 and reply in each of the 14 related actions, and if Plaintiffs filed an individualized  
2 opposition in each of the 14 related actions.

3 IT IS FURTHER STIPULATED AND AGREED that, subject to approval of  
4 the Court, there is good cause to set the following schedule:

5

- 6 • October 21, 2024: Each Defendant's Deadline to Answer, Move, or  
Otherwise Respond to the Complaints;
- 7 • November 26, 2024: Plaintiff's Deadline to Respond to each  
Defendant's Answer, Motion, or Response (if and as applicable);
- 8 • December 17, 2024: Each Defendant's Deadline to File Replies (if and  
as applicable);
- 9 • January 10, 2025: Proposed Hearing on Each Defendant's Answer,  
Motion or Response (if and as applicable).

10 IT IS FURTHER STIPULATED AND AGREED that Defendants preserve  
11 all objections and defenses to each complaint in the 14 related cases, including any  
12 objection or defense on the ground of lack of personal jurisdiction.

13 Accordingly, the Parties respectfully request that this Court set the briefing  
14 and hearing schedule for any motions to dismiss and enter the [Proposed] Order  
15 concurrently filed with this Joint Stipulation.

16  
17 IT IS SO STIPULATED.

18  
19 DATED: October 4, 2024

20 BROWN RUDNICK LLP

21  
22  
23  
24 By /s/ Michael J. Bowe  
25 Michael J. Bowe  
26 Lauren Tabaksblat  
27 Attorneys for Plaintiff K.A.

1 DATED: October 4, 2024

2 MINTZ LEVIN COHN FERRIS GLOVSKY  
3 AND POPEO P.C.

4 By /s/ Esteban Morales Fabila

5 Esteban Morales Fabila

6 Peter A. Biagetti (*Pro Hac Vice*  
7 *Application Pending*)

8 *Attorneys for Defendants MindGeek*  
9 *S.à.r.l., MG Freesites Ltd, MindGeek USA*  
10 *Incorporated, MG Premium Ltd, MG*  
11 *Global Entertainment Inc., and 9219-1568*  
12 *Quebec Inc.*

13 DATED: October 4, 2024

14 WEIL, GOTSHAL & MANGES LLP

15 By /s/ Drew Tulumello

16 Drew Tulumello

17 *Attorneys for Defendant Visa Inc.*

18 DATED: October 4, 2024

19 MORVILLO ABRAMOWITZ GRAND  
20 IASON & ANELLO PC

21 By /s/ Jonathan S. Sack

22 Jonathan S. Sack

23 *Attorneys for Defendant David Tassillo*

24 DATED: October 4, 2024

25 COHEN & GRESSER LLP

26 By /s/ Matthew V. Povolny

27 Matthew V. Povolny

28 *Attorneys for Defendant Feras Antoon*

1 DATED: October 4, 2024

2 WALDEN MACHT HARAN & WILLIAMS  
3 LLP

4 By /s/ Ronald G. White  
5 Ronald G. White  
6 Attorneys for Defendant Bernd Bergmair

7 DATED: October 4, 2024

8 PAUL HASTINGS LLP

9

10 By /s/ James M. Pearl  
11 James M. Pearl  
12 Adam M. Reich  
13 Emma Lanzon  
14 Kiaura Clark  
15 Attorneys for Defendant Redwood Capital  
16 Management, LLC

17 DATED: October 4, 2024

18 WHITE & CASE LLP

19

20 By /s/ David G. Hille  
21 David G. Hille  
22 Kevin C. Adam  
23 Russell J. Gould  
24 Attorneys for Defendant Colbeck Capital  
25 Management, LLC

1 **ATTESTATION STATEMENT**  
2

3 I, Esteban Morales, the filer of this declaration, attest pursuant to Rule 5-  
4 4.3.4(a)(2) of the Local Rules for the United States District Court for the Central  
5 District of California that all other signatories listed, and on whose behalf the filing  
6 is submitted, concur in the filing's content and have authorized the filing.  
7

8 Dated: October 4, 2024

9 MINTZ LEVIN COHN FERRIS  
10 GLOVSKY AND POPEO P.C.  
11

12 /s/ *Esteban Morales Fabila*  
13 Esteban Morales Fabila  
14

15 *Attorney for Defendants MindGeek*  
16 *S.à.r.l., MG Freesites Ltd, MindGeek*  
17 *USA Incorporated, MG Premium Ltd,*  
18 *MG Global Entertainment Inc., and*  
19 *9219-1568 Quebec Inc.*  
20  
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1 **CERTIFICATE OF SERVICE**

2 I, the undersigned counsel of record for Defendants MindGeek S.à.r.l., MG  
3 Freesites Ltd, MindGeek USA Incorporated, MG Premium Ltd, MG Global  
4 Entertainment Inc., and 9219-1568 Quebec Inc., certify that the foregoing  
5 instrument was served pursuant to the Federal Rules of Civil Procedure on October  
6 4, 2024 upon all counsel of record via ECF.

7  
8 Dated: October 4, 2024

MINTZ LEVIN COHN FERRIS  
9 GLOVSKY AND POPEO P.C.

10 /s/ *Esteban Morales Fabila*

11 Esteban Morales Fabila

12 *Attorney for Defendants MindGeek  
13 S.à.r.l., MG Freesites Ltd, MindGeek  
14 USA Incorporated, MG Premium Ltd,  
15 MG Global Entertainment Inc., and  
9219-1568 Quebec Inc.*

# **EXHIBIT 1**

Appendix of Related Cases Filed by Brown Rudnick

|     | <u>Case Name</u>                         | <u>Case Number</u>    | <u>Filing Date</u> |
|-----|--|-----------------------|--------------------|
| 1.  | <i>K.A. v. MindGeek S.A.R.L., et al.</i> | 2:24-cv-04786-WLH-ADS | 06/07/2024         |
| 2.  | <i>L.T. v. MindGeek S.A.R.L., et al.</i> | 2:24-cv-04791-WLH-ADS | 06/07/2024         |
| 3.  | <i>N.L. v. MindGeek S.A.R.L., et al.</i> | 2:24-cv-04788-WLH-ADS | 06/07/2024         |
| 4.  | <i>N.Y. v. MindGeek S.A.R.L., et al.</i> | 2:24-cv-04801-WLH-ADS | 06/07/2024         |
| 5.  | <i>T.C. v. MindGeek S.A.R.L., et al.</i> | 2:24-cv-04795-WLH-ADS | 06/07/2024         |
| 6.  | <i>X.N. v. MindGeek S.A.R.L., et al.</i> | 2:24-cv-04800-WLH-ADS | 06/07/2024         |
| 7.  | <i>J.C. v. MindGeek S.A.R.L., et al.</i> | 2:24-cv-04971-WLH-ADS | 06/12/2024         |
| 8.  | <i>C.S. v. MindGeek S.A.R.L., et al.</i> | 2:24-cv-04992-WLH-ADS | 06/13/2024         |
| 9.  | <i>S.O. v. MindGeek S.A.R.L., et al.</i> | 2:24-cv-04998-WLH-ADS | 06/13/2024         |
| 10. | <i>W.L. v. MindGeek S.A.R.L., et al.</i> | 2:24-cv-04977-WLH-ADS | 06/13/2024         |
| 11. | <i>L.S. v. MindGeek S.A.R.L., et al.</i> | 2:24-cv-05026-WLH-ADS | 06/14/2024         |
| 12. | <i>A.K. v. MindGeek S.A.R.L., et al.</i> | 2:24-cv-05190-WLH-ADS | 06/20/2024         |
| 13. | <i>W.P. v. MindGeek S.A.R.L., et al.</i> | 2:24-cv-05185-WLH-ADS | 06/20/2024         |
| 14. | <i>J.L. v. MindGeek S.A.R.L., et al.</i> | 2:24-cv-07046 WLH-ADS | 08/20/2024         |